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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Robert Chojnacki

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EXAMINER

PERUNGA VOOR, VENKATANARAY

ART UNIT

PAPER NUMBER

2132

MAIL DATE

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06/06/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/823,132	Applicant(s) CHOJNACKI, ROBERT	
	Examiner Venkat Perungavoor	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 3/19/2008 have been fully considered but they are not persuasive. The Applicant makes two arguments with regard to rejection and the Examiner will rebut them here.

The first argument the Applicant makes is that Matyas fails to disclose the encrypted and unencrypted portions not being unusable until the encrypted portion is decrypted.

Matyas discloses the installation not being completed until the encrypted portion is decrypted see Col 8 Ln 25-45. The unencrypted portion may have access to(i.e. have information regarding the key) or may contain the key information needed to decrypt the encrypted portion see Col 8 Ln 35-43. The key(a function of parameters A and S) is being used to decrypt the package and used along with the unencrypted portion.

The second argument the applicant makes is that Matyas fails to disclose the unencrypted portion not having decompression parameters, indices or global data of the database.

Matyas discloses the parameters relating to hashing being contained within the unencrypted portion see Col 10 Ln 25-33.

Claim Rejections - 35 USC § 102

Claims 28-36, 38, 40-44, 46-48 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 7051211 to Matyas et al.(hereinafter Matyas).

Regarding Claim 28, Matyas discloses the receiving the receiving of data comprising an encrypted first portion and a unencrypted second portion, said encrypted first portion and the unencrypted second portion is unusable before decrypting the first portion see Fig. 3 item 12 & 14 & Col 9 Ln 14-33 & Col 4 Ln 22-25 & Col 8 Ln 25-45; decrypting the encrypted first portion with a decryption key see Col 13 Ln 21-40; executing the program on the platform to use application including first and second portion where the program is not included with product see Col 9 Ln 4-13 & Col 12 Ln 52-61.

Regarding Claim 30, 40, Matyas discloses the decompression parameters being used see Col 14 Ln 53-61 & Col 9 Ln 50-64.

Regarding Claim 31, 46, Matyas discloses the portion containing indices into data contained in the second portion see Col 9 Ln 50-64 & Col 9 Ln 14-30.

Regarding Claim 32, 47, Matyas discloses the global data containing data product as a whole see Col 11 Ln 30-45.

Regarding Claim 33-36, 41-43, 48, Matyas discloses the encrypted authorization key and decrypting the key to obtain the verification information having ID codes see Col 8 Ln 25-60 & Col 10 Ln 6-19.

Regarding Claim 38, Matyas discloses the processor see Fig. 2 item 238; data storage medium having encrypted first portion and unencrypted second portion, where the first portion has critical data that enables use of data product see Col 13 Ln 21-31(where the unencrypted portion contains data needed for decrypting), wherein the first portion of data product and second portion of data is unusable before decrypting the first portion of the data product see Col 4 Ln 22-25 & Col 8 Ln 25-45; decrypting the encrypted first

portion with a decryption key see Col 13 Ln 21-40 and executing the program on the platform to use application including first and second portion where the program is not included with product see Col 9 Ln 4-13 & Col 12 Ln 52-61.

Regarding Claim 44, Matyas discloses the having encrypted first portion and unencrypted second portion, where the first portion has critical data that enables use of data product see Col 13 Ln 21-31 (where the unencrypted portion contains data needed for decrypting), wherein the second portion of data is unusable before decrypting the first portion of the data product see Col 4 Ln 22-25; and executing the program on the platform to use application including first and second portion where the program is not included with product see Col 9 Ln 4-13 & Col 12 Ln 52-61.

Regarding Claim 49, Matyas discloses the dividing the database into a first portion and a second portion, the first portion comprising at least some critical data, the second portion not usable without the critical data in the first portion, wherein the critical data are selected from the group consisting of decompression parameters, indices and global data see Col 4 Ln 22-25 & Col 13 Ln 21-31 & Col 10 Ln 25-33; encrypting the first portion of the database see Col 4 Ln 19-25; sending to the client the encrypted portion of the database, the unencrypted second portion of the database, and a key for decrypting the first portion of the database, where the first portion and the second portion of the database are unusable before decrypting the first portion see Col 13 Ln 3-9 & Col 8 Ln 25-45.

Regarding Claim 50, Matyas discloses the critical data being decompression parameters, indices and global data see Col 15 Ln 20-35.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 37, 39, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 7051211 to Matyas et al.(hereinafter Matyas) in view of US Patent 6104815 to Alcorn et al.(hereinafter Alcorn).

Regarding Claim 37, 39, 45, Matyas does not disclose the decrypting the geographic database. However, Alcorn discloses the decrypting the geographic database (where the positional information is encrypted see Fig. 7b item "Receive & decrypt & Send time & Pos. Info to Server"). It would be obvious to one having ordinary skill in the art at the time of the invention to include the decrypting the geographic database in the invention of Matyas in order to send sensitive information to server and the server being able to additional information(user, location and time validity test) as taught in Alcorn see Fig. 4.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2132

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. P./

Examiner, Art Unit 2132

June 4, 2008

/Gilberto Barron Jr/

Supervisory Patent Examiner, Art Unit 2132